

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TOOLA O. TAYLOR,

Petitioner,

-vs-

RICK HARRINGTON,

Respondent.

No. 12-cv-1099-DRH

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This matter is before the Court on Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254.

IT IS ORDERED AND ADJUDGED that pursuant to the order entered by this Court on August 13, 2013, the Report and Recommendation of Magistrate Judge Donald G. Wilkerson is adopted in its entirety. Respondent's Motion to Dismiss is **GRANTED** and the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §2254 is **DISMISSED without prejudice** for failure to exhaust.

Dated: August 13, 2013

**NANCY J. ROSENSTENGEL,
CLERK OF COURT**

**BY: s/Sara Jennings
Deputy Clerk**

David R.
Herndon
2013.08.13
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David R. Herndon
SOUTHERN DISTRICT OF ILLINOIS

APPROVED:

**CHIEF JUDGE
U. S. DISTRICT COURT**